

House Bill 792

By: Representative Stanley-Turner of the 53<sup>rd</sup>

A BILL TO BE ENTITLED

AN ACT

To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate promoting the establishment of a Project Lifesaver or similar type of program by local law enforcement agencies; to provide for issuance, renewal, fees, licensing agreements, applications, transfers, and disposition of funds relative to such special license plates; to provide for related matters; to provide for a contingent effective date; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, is amended by adding a new Code Section 40-2-86.10 to read as follows:

"40-2-86.10.

(a) There shall be issued beginning January 1, 2007, special license plates promoting the establishment of a Project Lifesaver or similar type of program by local law enforcement agencies, subject to the conditions set forth in this Code section. Project Lifesaver's mission is to use state of the art technology in assisting those who care for victims of Alzheimer's disease and other related mental dysfunction disorders and victims who become lost. Victims of these disorders tend to wander from their homes and Project Lifesaver places personalized radio transmitters on these individuals to assist caregivers and local emergency agencies in locating those who cannot help themselves.

(b) The commissioner shall design special distinctive license plates appropriate to promote the establishment of a Project Lifesaver or similar type of program by local law enforcement agencies. The license plates shall be of the same size as general issue motor vehicle license plates and shall include a unique design and identifying number, whereby

1 the total number of characters does not exceed six. No two recipients shall receive  
2 identically numbered plates. The graphic on the special license plate shall be placed to the  
3 left of the alphanumeric characters and shall be no larger than three inches by three inches.

4 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section  
5 shall not be implemented until such time as the State of Georgia has, through a licensing  
6 agreement or otherwise, received any licenses or other permissions that may be required  
7 to implement this Code section. The design of the initial edition of the license plates, as  
8 well as the design of subsequent editions and excepting only any part or parts of the  
9 designs owned by others and licensed to the state, shall be owned solely by the State of  
10 Georgia for its exclusive use and control, except as authorized by the commissioner. The  
11 commissioner may take such steps as may be necessary to give notice of and protect such  
12 right, including the copyright or copyrights. However, such steps shall be cumulative of  
13 the ownership and exclusive use and control established by this subsection as a matter of  
14 law, and no person shall reproduce or otherwise use such design or designs, except as  
15 authorized by the commissioner.

16 (d) Beginning in calendar year 2007, any Georgia resident who is the owner of a motor  
17 vehicle, except a vehicle registered under the International Registration Plan, upon  
18 complying with the motor vehicle laws relating to registration and licensing of motor  
19 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular  
20 motor vehicle registration fee shall be issued a license plate promoting the establishment  
21 of a Project Lifesaver or similar type of program by local law enforcement agencies.  
22 Revalidation decals shall be issued for such license plates in the same manner as provided  
23 for general issue license plates.

24 (e) From the additional \$25.00 fee charged for the issuance and renewal of the license  
25 plates authorized under this Code section, \$2.00 shall be used by the department for  
26 manufacturing and purchase costs, \$13.00 shall be paid to the general fund of the state  
27 treasury, and \$10.00 shall be exclusively dedicated for the purpose of promoting the  
28 establishment of a Project Lifesaver or similar type of program by local law enforcement  
29 agencies, pursuant to Article III, Section IX, Paragraph VI(n) of the Constitution. Such  
30 dedicated funds shall be appropriated for such purpose to the Department of Public Safety  
31 or a nonprofit corporation organized exclusively for the purpose of establishing a Project  
32 Lifesaver or similar type of program by local law enforcement agencies. The agency or  
33 organization ultimately making use of such funds shall periodically provide to the  
34 commissioner an audit of the use of the funds or other evidence of use of the funds  
35 satisfactory to the commissioner. Any audit performed under Chapter 6 of Title 50 shall  
36 meet this auditing requirement. If an audit demonstrates that the funds are not being used  
37 for the purposes set forth in this Code section or if the required audit or evidence is not

1 provided to the commissioner, then the commissioner shall so notify the House and Senate  
2 Appropriations Committees. Any funds appropriated pursuant to this Code section shall  
3 not lapse.

4 (f) An applicant may request a license plate promoting the establishment of a Project  
5 Lifesaver or similar type program by local law enforcement agencies any time during the  
6 applicant's registration period. If such a license plate is to replace a current valid license  
7 plate, the license plate shall be issued with appropriate decals attached.

8 (g) No special license plate authorized pursuant to this Code section shall be issued until  
9 a minimum of 1,000 applications has been received by the department. The special license  
10 plate shall have an application period of two years after January 1, 2007, for payment of  
11 the manufacturing fee. After such time if the minimum number of applications is not met,  
12 the department shall not continue to accept the manufacturing fee, and all fees shall be  
13 refunded to applicants.

14 (h) The department shall not be required to continue to manufacture the special license  
15 plate if the number of active registrations falls below 500 registrations at any time during  
16 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current  
17 registrant may continue to renew such special license plate during his or her annual  
18 registration period upon payment of an additional \$25.00 annual special tag fee, which fee  
19 shall be collected by the county tag agent at the time of collection of other registration fees  
20 and shall be remitted to the state as provided in Code Section 40-2-34. The department  
21 may continue to issue such special license plates that it has in its inventory to assist in  
22 achieving the minimum number of registrations. If the special license plate falls below 500  
23 active registrations at any time during the five-year period as provided in subsection (b) of  
24 Code Section 40-2-31, manufacture of the license plates shall not be continued until the  
25 commissioner receives 1,000 applications.

26 (i) License plates promoting the establishment of a Project Lifesaver or similar type of  
27 program by local law enforcement agencies shall be transferred from one vehicle to another  
28 vehicle in accordance with the provisions of Code Section 40-2-80.

29 (j) License plates promoting the establishment of a Project Lifesaver or similar type of  
30 program by local law enforcement agencies shall be issued within 30 days of application  
31 once the requirements of this Code section have been met."

## 32 SECTION 2.

33 This Act shall become effective on January 1, 2007; provided, however, that this Act shall  
34 only become effective on January 1, 2007, upon the ratification of a resolution at the  
35 November, 2006, state-wide general election, which resolution amends the Constitution of  
36 the State of Georgia so as to authorize the dedication of revenue from the sales of license

1 plates to a general purpose relating to the nature of the special license plate. If such  
2 amendment is not ratified, this Act shall not become effective and shall stand repealed in its  
3 entirety on January 1, 2007, and no such motor vehicle license plates shall be issued pursuant  
4 to this Act.

5 **SECTION 3.**

6 All laws and parts of laws in conflict with this Act are repealed.